

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Wheeler et al. Art Unit : 1642  
Serial No. : 10/575,438 Examiner : Laura B. Goddard, Ph.D.  
Filed : April 11, 2006 Conf. No. : 4024  
Title : SYSTEM AND METHOD FOR THE TREATMENT OF BRAIN TUMORS

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the action dated May 28, 2008, finally rejecting claims 1-3, 5-7, 10, and 11.

This Notice is being submitted along with a Petition for Extension of Time and the required fee. The appeal fee in the amount of \$270.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 22862-0004US1.

Respectfully submitted,

Date: October 28, 2008



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**CERTIFICATE OF MAILING BY EFS-WEB FILING**

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: October 28, 2008